



Docket No.: 1594.1316

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tae-Duk KIM

Serial No. 10/773,159

Group Art Unit: 2837

Confirmation No. 5436

Filed: February 9, 2004

Examiner: IP, Shik Luen Paul

For: APPARATUS FOR DRIVING BRUSHLESS MOTOR AND METHOD OF CONTROLLING
THE MOTOR

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was attached to the Notice of Allowability mailed December 5, 2005.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for all of the claims pending and allowed in the application.

By way of example, the Examiner states:

the claimed invention is to determine a phase commutation point of time . . .
and controlling the driver to perform phase commutation. . . as shown in
figure 4 of the invention.

(See, page 2 attached to Notice of Allowability).

However, for example, neither independent claim 13 nor claim 16 recite the term "driver."
As set forth in MPEP §1302.14:

(t)he examiner should keep in mind the possible misinterpretations of his or her
statement that may be made and its possible estoppel effects.

Accordingly, the Applicant respectfully submits that the Examiner's Statement raises possible
misinterpretations and is therefore improper.

It is further submitted that the claims speak for themselves and should not be interpreted
based on the Examiner's characterizations of same, and that the claims provide their own best

evidence as to the reasons for allowance.

Respectfully submitted,

STAAS & HALSEY LLP

Date: January 26, 2006

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